

Governor's Upper Yellowstone River Task Force
Meeting Summary
October 7, 2002
Yellowstone Inn
Meeting began at 7:00 pm

I. Introduction

Members Present:

John Bailey, Chair
Dave Haug, Vice Chair
Andy Dana

Michelle Goodwine
Jerry O'Hair
Brant Oswald

Bob Wiltshire
Ellen Woodbury
Jim Woodhull

Ken Britton, USFS Ex-Officio
Bruce Rich, FWP Ex-Officio

Allan Steinle, Corps Ex-Officio

Others Present:

Liz Galli-Noble, Coordinator
Alisha Gadberry, Secretary
Tom Hallin, TAC

Lionel Dicharry
Burt Williams
Karl Biastoch

II. Prior Meeting Minutes

John Bailey: The first thing that we will do is review the previous minutes from September 19th.

Liz Galli-Noble: One quick comment: I did just hear from Lionel Dicharry stating that he made a comment on September 19 and it wasn't correctly reproduced in the minutes. I wish to correct that problem in the minutes.

Lionel Dicharry: If I may be allowed to explain as best I can recall: Tom Pick had made reference to the fact that even after the NRCS report was finished and the science had been done, that in fact the overriding statement of the report was that there was more science that still needed to be done and that this was not a final answer to the watershed study. I then asked a simple question: would the report state that? That is, would it be easily discernable or logical reading the report that in fact had a message that was different than what he carried in his presentation?

Liz Galli-Noble: Actually now that you make that statement I just want to ask a quick question of you, were these statements made during the question session or was it after?

Lionel Dicharry: No, it was during the public question session.

Liz Galli-Noble: That is perhaps why it wasn't in the minutes, because we videotaped the formal presentation and the question session, we did not take minutes during these sessions.

Lionel Dicharry: I saw other questions that were asked just opposed from either side of my question.

Liz Galli-Noble: Okay so the statement is missing and needs to be added. Actually this brings up a good point concerning our minutes. When we take minutes we don't write down everything verbatim, that's what we hope the secretary can get off the tape recording; but even the tape presents problems because sometimes the tapes are being flipped and we miss a comment or two. I would really appreciate it if you know you said something specific and meaningful, and for some reason it was not accurately recorded in the minutes, please let me know right away. As John Bailey stated at our last meeting, e-mail or call me and I can make the correction before those minutes are approved. With ten to twenty pages of text, stuff is bound to be missing.

Andrew Dana: That sounds fine to me; I just wanted to make sure we knew what we were approving.

John Bailey: So is everyone comfortable with that correction to the minutes? I would also like to comment that we might want to have our minutes record the questions sessions as well, and not just rely on the videotape to record what was said.

Jerry O'Hair moved to approve the August 20, 2002 minutes as corrected (with Lionel Dicharry's comment). Jim Woodhull seconded the motion. The motion passed unanimously.

III. Financial Updates

1. Grant Spending Report:

Liz Galli-Noble reported the following financial updates to the Task Force:

EXPENDED GRANTS			
Grant Name	Completed	Amount	Study Component
DNRC Watershed Planning Assistance Grant	6/30/99	2,100.00	Physical Features Inventory
DNRC HB223 Grant	7/30/99	10,000.00	Aerial photography
DNRC Riparian/Wetlands Educational Grant	6/30/00	960.99	<i>Hydrologic Response to the 1988 Fires Workshop</i>
DEQ 319 Grant (1 st)	9/30/00	40,000.00	Coordinator position
DNRC Watershed Planning Assistance Grant	1/31/01	10,000.00	Watershed Land Use Study
DEQ Start-Up Grant	6/26/01	49,138.00	Coordinator position, Admin secretary, cross-sections, operating expenses
DNRC HB223	10/1/01	6,500.00	Riparian Trend Analysis
BLM Funding	10/26/01	10,000.00	Wildlife Study
DEQ 319 Grant (2 nd)	3/21/02	58,000.00	Coordinator position
DEQ 319 Grant (3 rd)	44,000.00	44,000.00	Coordinator position
CURRENT GRANTS			
Grant Name	Amount	Spent	Remaining Balance
DNRC RDGP Grant (expires 12/31/02)	299,940.00	275,293.17	28,008.12
DEQ 319 Grant (4 th) (expires 3/30/04)	122,200.00	2,195.90	120,004.10
EPA RGI Grant (expires 9/30/02)	30,000.00	27,000.00	3,000.00

IV. Other Business

1. Task Force Meeting Costs

John Bailey: As you might recall, we are having a meeting tonight to continue discussion on the process needed to make recommendations. But before we discuss that we have a couple of administration items to cover. I was talking to Liz the other day and she casually told me that the minutes have risen to now cost us about \$500 each month. So I said well I think that's material and that ought to at least come before the Task Force. I have no recommendations but I didn't want to be like Enron and have the money going amuck.

Liz Galli-Noble: You have a handout that summarizes the situation (see *Attachment A*).

John Bailey: You said \$500, but now I'm seeing \$600 and \$527 totals. We have a new format for our minutes, which if somebody wants to change it, that's fine. I wanted to at least make sure that everyone understood what we're doing and what it costs, so that it didn't come back to haunt us later.

Liz Galli-Noble: I picked recent meetings with the new format and then two other meetings in 2001 and 2002 that had lots of discussion, to give you a comparison of what we used to spend and what we spend now. I kept it consistent with 200 people on the mailing list because we fluctuate from 197 to 210, but it is always right around 200; that's not counting the emailing which is at least another hundred and is free.

Andy Dana: I guess I just personally thought that taping the minutes was over kill. I know that the issue rose because of an amendment that I wanted to make, but I didn't think that taping every meeting was necessary. We can talk about amendments and either approve them or not approve them, and that's fine as far as I'm concerned. It is nice to have a verbatim summary but I don't think that it is necessary.

Liz Galli-Noble: I have heard several comments from the public concerning the new minutes format; and no offense to Andy, but I was a bit surprised when ten people or more said that they really liked the detail provided. People said that they could miss the meeting and by reading the minutes it was almost like being there. But they are tedious to type up and edit, and of course are expensive to print and distribute.

Bob Wiltshire: One question Liz and this might be silly but can we qualify for bulk postage rates?

Liz Galli-Noble: Amy and I discussed this very issue a long time ago; I wish she was here tonight because there was a reason at the very beginning that the District said they did not want to go that route. As I recall the District looked into this and after weighing the initial and annual fees, the cost savings were not worth it. That may not be the case anymore, however. Why don't I just go ahead and look into it again and then I'll give you some feedback at the next meeting.

Brant Oswald: One thing else that I guess jumps out here is that the 17½ hours needed for the June 5th meeting and the subsequent secretary time was over twice as much.

Liz Galli-Noble: Well number one, that was Bethany's first time taking the minutes and number two, those minutes were from a very long discussion. I think they were twenty pages or more of text. You can see that my edits usually only took three or four hours and I jumped up to eight hours for that meeting. It literally took me that long to do an edit, but that's also because we had a brand new secretary as well. Listening to the tape takes a very long time, and previously, Amy never listened to the tape when she did minutes. She sort of just did it from notes and memory, and then John and I provided all the clarification.

How about the Task Force, if you miss a meeting do you get something out of the minutes? These minutes function as a record, but aren't they really for the people who miss the meeting and need to know what happened in their absence?

Bob Wiltshire: I missed the last meeting and I thought it was interesting reading through the minutes; the only thing I am afraid of is that people may feel that there is no reason to attend the meetings, if they can simply read the minutes.

Karl Biastoch: You still need to attend the meetings; it just helps having those comprehensive notes, so in the future when someone comes back and says: why did you do that? You can show them what you really meant with the minutes and it takes care of a lot of questions that may be generated in the future. You won't have to answer the same question again and again.

Liz Galli-Noble: Michelle you've missed a couple meetings, do you find the minutes helpful?

Michelle Goodwine: I do, I think they are very helpful.

Brant Oswald: I guess that I'm a little dismayed to look at those numbers, but I have had a substantial amount of feedback from people and it has been positive. If they miss the meeting, they could really tell what the tone of the discussion was, which was informative.

Bob Wiltshire: Do we have enough money to keep doing this?

Liz Galli-Noble: Yes, we do.

Bob Wiltshire: Then I would say let's go with it.

John Bailey: We have enough, until we run out. Actually it's been interesting to read back through them; it helps remind you of some of the things that are said about the concepts discussed. I just wanted everyone to know that things had changed, and that it takes a lot of Liz's time. It seems to me that another question we need to ask ourselves is: as we start reviewing all this stuff do we want look to the notes or the videotapes to see what those questions were? We will have written reports from the researchers, and once that part is over, we've lost that record unless we've kept good notes.

Liz Galli-Noble: That brings up the next issue: videotaping the research presentations. As an experiment we videotaped the Watershed Land Use presentations. Dave Haug missed that meeting and later watched the tape. Maybe he would give us a little feedback on its value. It cost us \$102 to tape the presentation and questions sessions.

Dave Haug: All in all, I thought it was great. Given all the research studies that we are doing, I think it would be beneficial to videotape them because when you miss them you can still see what's going on. The only thing that I would suggest is for them to use a microphone up in the front, instead of in the back. The clarity was good and you could understand what was being said. Down the road if you want to watch them, if you weren't here, it's real informative. I think it's worth it. I also thought that it might not be a bad idea to get two copies each tape, so if something happens to one, we have a back up. You don't want only one copy for your records.

Liz Galli-Noble: I agree that having two copies is needed. I've already gotten a request from a member of the public in Helena who wants to borrow the videotape. So what I thought I might do is to have one copy for the Task Force and the other one to lend out. It's \$14 for the second copy, which I think is pretty fair. Maybe we'd ask that they return it within a week's time. Are people comfortable with that?

John Bailey: I guess if we are going to have tapes, we need to make them available.

Dave Haug: If you have two copies, you wouldn't have to worry about if something happens and then all your records are gone.

John Bailey: Are we in agreement to go on with minutes as is?

Liz Galli-Noble: And the minutes will include the formal question sessions during research presentations?

The group was in agreement.

2. MOU/MOA/Cooperative Agreement

John Bailey: Now onto the MOU.

Liz Galli-Noble: Well, I will just introduce the subject of the MOU or Cooperative Agreement, and then I think I'm going to ask Dave Haug and other members of that group to take over. Just when you think something will never go through, it does. After three and half years the Cooperative Agreement has been completed and signed by all agencies involved. At a spring 2002 meeting, the Task Force reviewed a draft version of the Agreement and requested that a few edits be made. Those edits were made and the final document is before you now for endorsement or "blessing."

Dave Haug: It's been a long drawn out deal that was not what was expected. But I think in the end, as the representative for the Conservation District, I am personally satisfied with the changes made and the final document.

Liz Galli-Noble: You requested that the final version come back before the Task Force for final review and acceptance. That final document is before you now. You sort of wave a wand over it, and away it goes.

John Bailey: We don't have to make any motions?

Liz Galli-Noble: I think that you are to acknowledge that you're comfortable with what's outlined in the Agreement.

Allan Steinle: I think that it might be important to take note that a part of the Agreement—and I don't remember specially where—it talks about agency coordination in post-Task Force times, and also I believe it speaks about maintaining some level of coordination with the community or with Task Force members once the Task Force is terminated.

Liz Galli-Noble: That language is in section 3.C.

Allan Steinle: And that's on a volunteer basis. Some people may be interested in continuing with the effort, even after the Task Force is completed.

John Bailey: Any comments?

Andy Dana: I was involved in some of these early discussions. I provided a voice for the Task Force and wanted to ensure that this was consistent with what my concerns were, which was that the Task Force not be a party to this necessarily. I also voiced that we appreciated the cooperating agencies' willingness and interest in working with the Task Force to implement our recommendations to the extent possible (given their regulatory authorities).

Liz Galli-Noble: The Corps is trying to move along their process without causing the Task Force heartburn. They have to produce a SAMP in the near future, and they are trying to figure out how they are going to do that. The Corps has repeatedly asked the Task Force to go down certain avenues where you are not comfortable going or you feel that it is outside of your directive from the Governor. Andy Dana and others can bear witness that even during the discussion of this Agreement, Task Force members repeatedly said much the same thing. Yet on the other hand, it seems to me that some of those actions are things that other agencies do have to address, and I think that it's a step forward that through this Agreement that dialogue is encouraged to take place. The County floodplain permitting is a good example of this.

John Bailey: I think they can ask the County whatever they want anytime.

Liz Galli-Noble: I think often times the Corps has been afraid that they are stepping over a boundary by doing so.

Andy Dana: That's their issue, not our issue.

Liz Galli-Noble: So you would be comfortable if these dialogues take place, is that what I'm hearing?

Andy Dana: I don't think we have any reason to be comfortable or uncomfortable, it's beyond our prevail.

John Bailey: The Corps can talk to whomever they want, anytime they want. The government wanted a document to tie this together, and that's fine. Given the fact that the Task Force will disappear, makes it pretty hard to be part of something in the future. They are moving into areas, like you said, that we don't want to go. I don't see any problem with that, and I think that it's wonderful that this Agreement got done. I had given up on it years ago and it's nice to see it completed. A lot of people put time into this, which is great, and I think it came about because of the strong working relationships built over the years.

V. Decision-Making Processes/Formulating Management Recommendations

John Bailey: Okay, I would now like to shift the discussion to our decision-making processes; that's why we came hear tonight. Over the last few meetings, we have developed and used a research presentation process, and the group may want to revisit that tonight. Then we decided to focus this meeting on developing a recommendation process to be used after the research is done. I guess there is a distinction there, but it may never be that clear when we actually apply them. Liz you brought some information for us to review, so why don't you get us started.

Liz Galli-Noble: The only thing I brought—which has been presented at a couple past Task Force meetings—is a handout with a possible process for recommendation development (see *Attachment B*). Again, I took this almost verbatim out the readings that I gave you several months ago, so it should look familiar. Obviously, some of it pertains to our situation and some of it doesn't. Maybe we can use this as a straw man to get a discussion going.

Andy Dana: Just looking at the process, *Step 2* seems a little thin to me. It seems like we should have an opportunity to not only identify patterns, but also have an opportunity to discuss the right conditions. Purpose modifications essentially work on wordsmithing those recommendations, and then maybe after that the Chair could restate the recommendations made as modified and ask for questions or concerns. Maybe we don't want to do that; maybe we just don't want to have discussion.

John Bailey: One of the things that I'm saying is that when we get done with the research presentations and discussion about those research findings—and at the same time we are coming up with issues related to specific recommendations—we may find that our ideas are much broader. It seems to me that there will be groups of issues that should tie together somehow. Maybe we could have a meeting where we say we are going to deal with this sort of broad topic of issues and see where it leads us. I see us having discussion periods where all this data narrows down to something. We may have to have several meetings like that because who knows how they will break down. We have come up with issues and they may change as we go along, so it seems that there may be various processes that may need to go on as well.

Andy Dana: I guess what I thought when I saw this was the recommendations would drive the discussions, but John you are saying the discussion (the broad discussion) will drive the recommendations. If we come out with a recommendation from the broad discussion, I'm not sure if we need #2 at all. We will have already done that.

John Bailey: When I read this tonight my mind kind of went back to the process that we went through at a past meeting. We began talking about making recommendations and we ended up getting an issues list going. Well at some point we are going to have to deal with the issues list, in order to do something with them. Which is how it came about that we might have to have some broad discussions that may help to narrow those issues. Some issues will be narrow, others are going to be bringing in stuff from all around, and I would suspect that it will take quite a bit of discussion before any of us will be comfortable with any recommendation. There may be recommendations on the table, but I would assume that some discussion will be required to get peoples' confidence, to make sure that the recommendation is what people want it to be.

Liz Galli-Noble: I can address the reasoning behind #2. What is meant by "the group identifies patterns and related recommendations," is the idea that if many ideas for recommendations are on the table, rather than trying to address every

single one of them (when some of them may be repetitious) the group could look at the big picture and say do we see patterns within this list. For example, there are a bunch of recommendations under the topic of “bank stabilization,” maybe some of these could be combined? The Task Force already decided to do this grouping of subjects by using the cheat sheets developed for each research presentation. So rather than addressing a recommendation and then two days later going over almost the same thing (with maybe a slight difference in the recommendation) you would group them. That was the reasoning behind identifying patterns and themes in #2.

John Bailey: Now it seems to me that at some point we have to go back, pick up from each individual study, and try to see if they come together; are they still an issue? Seems we do have a process to take what comes from each presentation and then try and tie them together. This may be where the proposed round table or panel discussion comes in, but those discussions and how we accomplish them, need to be addressed. How will we come up with recommendations in this new process and what happens to the recommendations already suggested?

Andy Dana: Do you think that maybe we should formalize that process? We would have a series of discussions or issue identification meetings with the goal of fostering recommendations. Then you move from the recommendation to the motion of recommendations. You could have the whole formal process to adopt recommendations, which I actually think is important for the Task Force to do, because that is our end product. So maybe we should add a new *Step # 1* that says, “we have broad discussion about the issues with the hope of developing recommendations,” and then “the recommendations purposed are clearly stated,” and then we go through *Steps #1 to 6*.

Bob Wiltshire: I agree broadly with what Andy is saying. As we look at the process steps, everything but *Step #2* is a specific action and then #2 gets a lot broader. I would agree with reversing those around. The thing that I wonder about is I'm a little reluctant to see us piece meal or fix-up recommendations. For example, say tonight we are going to sit down and we are going to make recommendations based on geomorphology, and we get consensus on the ideas brought forward. Well then next week, we turn to land use or something else and find out there's something interrelated there. I'd like to see us somehow to add another step or layer to this process. A step that allows us to come back, or to do our final consensus at one time—after we are sure that we have dealt with all of the findings.

Ellen Woodbury: I foresee that after each individual presentation there will be important discussion and people will have concerns and ideas. This should all be recorded. But then when everything is done, then you have to put all this stuff together, because you can't (or at least it's difficult to) make a recommendation on just one aspect of the overall study. There will be themes that go through all these issues and concerns on each of these topics presented. Then at the end, you put these together and see what you can come up with, using a round table approach or the like. This is just one place that I think we might need a facilitator to help us come up with some recommendations and a formal consensus process. I guess I see one thing missing in this process: when you talk about consensus, it doesn't say in here that “if you don't agree, you have to come up with something else, that you just can't say ‘I don't like it’, that you have to present some kind of alternative.”

Brant Oswald: One additional issue that feeds into all of this discussion is: I try to talk to groups and get their feedback on things, and I think that one of the things that has come out of those discussions is that I am typically just asking for input on the given discussion that the Task Force is going to address at the next meeting. Instead, what those groups would like see—and I think that the concerns and comments that Bob and Ellen just made tie into this—is a process and time line for public input. When we sit down and have a discussion on some particular research presentation that we've heard, I think that it's going to be a normal thing that a lot of people's ideas will feed into our recommendations. So I think that in some way, whether it's in the cycles that we are talking about or not, we need some sort of time line that will allow more input. People that have ideas (if they have been in on a discussion or seen a presentation) need to be given a chance to come back in and bring in those opinions. Certainly I think that one of things that's important is that a lot of discussions that we have will provide that chance to trade ideas around this table, but then I think a lot of us will still need to go back and talk to people (who we are trying to represent) and get their feedback as well, and try to incorporate some of those ideas. We need a timeline that allows us to go back to our constituencies and get feedback.

John Bailey: My sense is that we have all these comments and issues, and we will have to have a broad discussion to focus on specific areas of interest. We will just have to sort down through these and get into some broad spectrums that lead you to something.

Bob Wiltshire: I think that as we deal with things that it's important to try and see if we have consensus on a particular recommendation, so that we don't formally say “yes we do” unless we are sure. So we know before we move onto something else that everybody's on board or not on board.

John Bailey: Are we going to modify the process steps? One of the questions I have for the group is: are we going to use the same kind of process that we developed for the science (see *Attachment C. Task Force Presentation Process*)? Where we have structured times for the Task Force to speak and other times for the public? Or is it going to be more like our standard meetings, where it's an open forum?

Ellen Woodbury: Well at least initially the public has a procedure to provide input.

John Bailey: That's through the science presentation process, I'm asking about our procedure after the science is presented.

Bob Wiltshire: In my mind John, we need both. But I could see getting Mr. Black and Mr. White in the audience and they would never achieve consensus among themselves and would tie up the entire evening of the Task Force because we are letting them in all the time. So I definitely think there has to be a point where we say, "we've heard what the public has to say, now as Task Force members, we have to do our job."

Ellen Woodbury: It's the Task Force's job to make the recommendations.

John Bailey: I understand. We have to hear from the Task Force and the public. The question is: are we going to set up the process like we did for the research presentations, where there are ground rules about who speaks when? How are we going to do that?

Ellen Woodbury: I think that we can set up recommendations at these Task Force-type of meetings, but you might set aside a time for public comment. When the Task Force is trying to make some kind of consensus decision, you can't have the public interrupting all the time. All that's going to do is bog everything down, and we can probably bog it down enough ourselves, just amongst this group.

Andy Dana: What I would suggest is that we re-label these process steps or expand them to say: Process Steps for Formal Task Force Action on Recommendations. I see this process, especially if you strike *Step #2*, as the way the Task Force makes decisions. Before that, I think we should add a process for discussion, as we talked about before. The discussion should include the public, but we also need time limitations and we do need to have some protocols for the control of that discussion.

Ellen Woodbury: When it comes to making recommendations, when we are at the point of discussing recommendations, the public discussion should have already taken place. We need to do our job and you can't do your job if people are still commenting. We need to have a formal process to make recommendations, and that probably won't include a lot of public comment, because at that point it should have already been done.

Dave Haug: As things evolve, the meeting can change and you may want to hear from the public.

Ellen Woodbury: But I'm saying that in the end—when this is the process for making final recommendations—this is not during the science presentations. This is when we get down to the brass tacks. We have all this information gathered and we need to make recommendations. I think at that point, we will have had plenty of public input.

Andy Dana: Well I think we talked before about recording those recommendations and that we may be able to revisit them after we put the package together to send to the Governor.

Liz Galli-Noble: I thought what Brant Oswald suggested was really wise. Although many of you probably go home and talk to your constituencies after most meetings, and certainly the dialogue does not end when our meetings are over, it is still a good idea to have a structured timeline to allow for that feedback. You may hear a lot from the audience, but you have sounding boards privately that you may also wish to consult. A structured timeline would make sure that it does not go on forever. You might say at a meeting "you know, I need to talk to some people about this in my group and can we come back to this." I think that is a fair statement with perimeters, you would have only a certain amount of time to get feedback, and then the Task Force would move on.

John Bailey: We seem to be talking about several steps here, not just a process. A process with several steps with different rules in each step. This is what it seems like I'm hearing. So now, I want to ask Andy, what was he proposing? Were there two process steps and then an additional preliminary step?

Andy Dana: I view this process (*Steps #1 to 6*) as kind of the last step for approving a recommendation. This is the way we take formal action. But before we get to that however, I feel there is a need for discussion. If you look at the *Task Force Presentation Process #5* general discussion section, I'm wondering if we could establish meetings for the purpose of making recommendations on various topics (say three meetings). We could open each meeting with the general discussion session maybe following this modified #5 on this *Task Force Presentation Process*. Then when it gets to the nuts and bolts of finally taking action on the recommendation, we follow *Steps #1 to 6* of this process. That might be a way to organize this. I do think that there is a bit of a time constraint and making a decision through # 6. Proposing a recommendation, reaching consensus or achieving one, and then having another meeting for public input a month later before we make our final decision, I'm not quite sure if I'm into that route, but there is some merit in that.

Liz Galli-Noble: So Andy, if we did that, we would have to have final decisions made by May or June? So we could be done in August. Could we do all this with 30 days to spare? I think that we need to start looking at a realistic timeline.

Andy Dana: I don't know we have the luxury to do that.

John Bailey: Yes, but we do have to take the time to a good job. There is nothing we can do about delays from the researchers. Their findings have to be in before we can make decisions. For example, when is the soils data coming in?

Liz Galli-Noble: That is probably one of the few questions that I can't answer. Perhaps spring of 2003, that is what we were told.

John Bailey: So we can't do anything until that's in, right? Tell Dave Haug that we need help.

Liz Galli-Noble: He's not too happy about the situation.

Andy Dana: This may be a reason to have a 30-day window, so we can crack the whip and get that in before the final meeting. That way if there is some bombshell in that data, we can address it.

John Bailey: I think we are going to have a very hard time being finally done by August. I expect that there is going to be a fair amount of time with discussion, and if we don't have a fair amount of discussion, we will have to cut something.

Andy Dana: We can have a fair amount of discussion after each presentation.

John Bailey: You're right, but I think that we have to have time to discuss how they all fit together. Maybe it will be quick, they all may be.

Ellen Woodbury: I would support Andy in that we need to come up with a set of draft recommendations, and then hold some kind of meeting for the public to see what they think of what we have come up with, and then have a final meeting.

John Bailey: Are you suggesting by that that the public will not be involved?

Ellen Woodbury: No, what I'm suggesting is that the final decisions are up to this Task Force. They are not up to the public. When we make those decisions, we set them out as drafts to start with, then we take comment on what we have come up with, and then we still have the option of changing it one last time. But the decisions still lay in this group.

Dave Haug: One other thing is that most everybody in the public knows a member of the Task Force. At any given time, if they have a problem and want to make a comment—even though you may not be taking public comment formally—certainly they can talk with anybody or a number of people and get their input in that way.

Bob Wiltshire: I don't like the idea of having draft recommendations. I think if we reach the point where the Task Force reaches consensus on a recommendation, we are done. I think we have gathered our input, we got it all, we've made our recommendations on everything, we've heard from our constituents that we represent, and if we (as a Task Force) can reach consensus, we are done.

Andy Dana: We might have a draft document anyway. We will have a bunch of meetings to develop the recommendations. Do we anticipate that at that final meeting—where we endorse the whole package—will the public be allowed to speak up?

Bob Wiltshire: I anticipate that before that we are going to have recommendations that we can't agree on, and we will have to go back and redraft them and try to find a way to make it work with the public's involvement. But once we say we are done, I don't want to say done maybe?

John Bailey: We are going to make recommendations in August. We are going to make our deadline, then when is the final report going to be done?

Liz Galli-Noble: You are asking me?

John Bailey: You are the one doing it.

Liz Galli-Noble: Well depending on how intense it is, I could probably get a draft out within 30 to 60 days of Task Force completion.

John Bailey: All I want to suggest is that what finally gets put together like our annual report, which we are not talking about, you just have to remember that we will put a bigger package together.

Bob Wiltshire: We end in August correct? Will we at that point send our recommendations to the Governor?

John Bailey: It's not stated.

Bob Wiltshire: I just don't see what the problem is. If we have clearly written recommendations in front of us, and we agree or not that is it. What is going to change? Those words are written, we've all read them, we've all agreed or we haven't.

Andy Dana: As we know there is a lot of discussion over the annual report for example. Wordsmithing that and how the recommendations are summarized in a similar report could be interesting

Bob Wiltshire: That's why I'm wondering if we should issue a one to three page recommendations to the Governor at our final meeting (plain and simple). Then we go ahead and follow up with the annual report. But what are we going to do in the final report? Are we going to tell people that we are done, but we are not going to tell you what are recommendations are?

John Bailey: Well, if we adopt them they are public. Everything we do is public. The presentation on how we got there is going to be a final report that hopefully will be used by lots of people for many years.

Andy Dana: I wonder if it would be worth seeking clarification from the Governor about what format she would like the recommendations to be in. And whether she is expecting something like an annual report or like a six-page document, because I'm not sure after August, if we have the authority to prepare a glossy report like the annual report.

John Bailey: I think that trying to get recommendations by August is what we need to do.

Liz Galli-Noble: I guarantee you that if you come up with specific recommendations, no matter what format they are put in, they can be word-for-word quotes, if that is what you want. There should not have to be any wordsmithing, all of that will already have happened.

Bob Wiltshire: I have to leave but I would like to say that Andy is right on the money; that basically we need two separate tracks: one is how we approve and a separate one is how we develop recommendations.

Andy Dana: We should have a focused discussion, which will lead to recommendations that the Task Force can act on. I am willing to work with Liz to help draft this thing. I could just try to wordsmith that and add it under *Step #1*.

Ellen Woodbury: So what you would foresee is taking a broad range of issues that are related, and we would then narrow them down.

Andy Dana: Possibly yes. What I think we would need to do is have three or four meetings to go through that list. Then say we are going to deal with topics 1 through 3 and have a general discussion so the Task Force can decide whether they want to make recommendations or not on those specific topics.

Liz Galli-Noble: I also like the idea that when you are taking public comment, you limit it to a minute or two. That way you hear what people have to say, but they don't speak for ten minutes on that subject.

John Bailey: There has to be times when the Task Force members can just discuss things, without any interruptions. But we still need to hear from the public, that is important. We do need to have the public's involvement. Without it, we will get off track and in the end we will have to start over.

Andy Dana: The only other issue I might raise based on this discussion is whether or not we want to include as a formal process step adoption of a whole package of recommendations?

John Bailey: We need to.

Andy Dana: That would be Step #7. Would this happen at some later meeting, maybe the final meeting?

John Bailey: It will be interesting the day we know that it's final.

Liz Galli-Noble: I'm going to go over quickly what we have just said. So we would start with recommendation development process with maybe three to four meetings. We would start with what is in general discussion #5, the Task Force Chair opens a broad discussion of issues comments and concerns that have already been raised and recorded. I'm not sure about "c", do we again go through this process; that is, go into documenting recommendations?

Andy Dana: No.

John Bailey: Why not? If we are discussing all of these things then why couldn't we be coming up with recommendations?

Andy Dana: I guess that we should be beyond that, because #1 says "all recommendations will be clearly stated" and I guess I was thinking that "c" is the same as #1.

Liz Galli-Noble: Okay, I understand now, we just skip to the next process. So we've had the discussion and everyone's had their piece, then we are going to go into what is called "steps for formal action on Task Force recommendations". And those steps are #1 to 6. We will add language where it most fits (reiterating what the ground rules say: if vote no, then you should come up with an alternative) and then there will be a #7 for a final, is that correct?

Andy Dana: I think that we want to delete #2.

John Bailey: But don't we need to add "d" into #5? To allow Task Force members and even members of the public to submit additional written comments and concerns.

Andy Dana: Well, if we are going to take formal action at a meeting and adopt a recommendation, then that is a 30-day review.

John Bailey: What I'm hearing right now is that we are going to do a general discussion (5a and 5b) and then we are moving into the formal process. Well, if we are going to have a general discussion and there are ideas coming up in quotes as "recommendations" from that discussion, will we need to have another step? When we bring all the studies together, we are going to be coming up with new recommendations and ideas.

Andy Dana: Well maybe we want to add a "d" to make #7 read "Task Force members and members of the public can submit additional written comments and concerns to the Coordinator for consideration at the final meeting", that may change the verdict.

John Bailey: It doesn't have to be at the final meeting, it can be at any meeting we have. Don't we build upon what we have?

Brant Oswald: Seems to me, the discussion has been that these process steps or formal actions would follow those product discussions that you are now trying to put into more concrete terms. It seems like that's the stopping point, where inviting additional comments from outside the discussion would no longer be allowed, before we get to that action.

Andy Dana: I'm viewing these *Steps #1 to 7* as your typical motion: someone makes a motion at a meeting, you call for a second, you call for a general discussion, and then you call for a vote.

John Bailey: I'm with you, but you said on your process for formal Task Force action on recommendations you are leaving c and d out.

Andy Dana: Yes, I don't think we have time for the written comment.

John Bailey: All I'm saying is if we are going to have this discussion bringing all of these studies together, we have no place here to submit additions, to record all the new ideas or recommendations.

Andy Dana: If we are taking the final action on a recommendation, we have to bite the bullet at some point.

Liz Galli-Noble: That's what Bob Wiltshire was trying to say. There has to be a point where we stop taking comments.

John Bailey: I agree, but when we begin the first broad spectrum talks, we will have seen patterns running through individual presentations like hydrology and fish, things that tie several studies together. So we are going to have this discussion about these various studies, and from that there should be more ideas coming in and new concepts for recommendations. Now after we've talked, it's no different then when (after a research presentation) you go home and later come up with additional issues, comments or concerns. So once we are into the final stage, we still may have new things that need to be documented, those new ideas may start bringing together the individual concepts into a broader thing.

Andy Dana: Okay, well, I withdraw my offer to help draft this thing because I can't understand how that will work.

Ellen Woodbury: It's going to evolve until the final meeting, but I think those first recommendations (the first meeting or two) are going to be drastic recommendations; they probably will change until we get to the final. During that period, we could take some comment. On the other hand, you could make the recommendations and then have a period of rebuttal comment. You could do it either way.

Andy Dana: The most efficient way, and where I'm concerned, would be to try to make recommendations at three or four meetings. Then we will have our list of recommendations, and we can reconvene and have a meeting to consider the whole package. We would ask for consensus on that whole package. At that time, if there are issues that come up and we need to redo it, then we can redo it at that point, but that's putting a whole lot of pressure on that last meeting.

Ellen Woodbury: So where do you foresee the public being involved? Do you see the public being involved?

Andy Dana: Sure at that last meeting they could say, "recommendation #8 conflicts with recommendation #14", "they should be combined," or something like that.

Ellen Woodbury: So you would have a public discussion and then at that point the Task Force would again make the final decision?

John Bailey: I have one more thing to throw out: who is doing all of this?" Is it a facilitator or me?

Ellen Woodbury: I think we really will need a facilitator when we get to this point.

John Bailey: Which point?

Ellen Woodbury: When we start making the issues and recommendations. We are going to need someone to put up ideas and to keep things on track.

Brant Oswald: Well I would like to get Andy to withdraw his refusal to help draft this process, because it seemed to me we were going in a productive direction, and now we've changed directions. It seems that what we had discussed was that *Steps #1 to 6, or 7* because we deleted *Step #2*, are the formal action that we will take at the very end, when we look at the whole package and come to a consensus or not. It seemed like what you were all trying to do was give us a little more formal procedure based on what we have already agreed to in the presentation process. Maybe we need a step that would come in between the presentation process and formalizing recommendations, and we could have those several meetings (that are still some what general) and we incorporate submission of the public or Task

Force members to do things outside the scope of those meetings. It seems like we have a little bit of a soft step in there, where we start to see patterns and come up with draft recommendations, but it does seem to make more sense to give it more structure. We could try to take comment from the public part of the time and then our discussion is our own part of the time.

Andy Dana: I understood John as including #5d, which asks for written comments, and if we are taking a final action that just does not seem consistent.

Brant Oswald: All I'm saying is that if there will be meetings where we won't be listening to presentations, yet we have already heard several, we may need to meet. It makes sense to me to try and identify some patterns and come up with some broader ideas. Those that we like provide a basis for draft recommendations and that was sort of my point at the beginning of the meeting, that I think it is at that point that things start to get fleshed out. We are going to get lots of comments from the public asking, "why are you going in that direction?" "Why didn't you think of this?" It makes sense to formalize those, so that everyone knows that they are able to comment at some point during that process, and not at other points. We can't get a lot done at a four-hour meeting, where no one is willing to do that. I think we are going to see a lot more public involvement from now on; more so than we've seen so far.

Andy Dana: So in other words, we do all of these general discussions in three or four meetings and then at the last one we do our recommendations.

Brant Oswald: No, I think they are going to take a lot of fleshing out. I get what you are saying. I don't think there is anyway that we can come to the last meeting and get all our recommendations done in one meeting.

Andy Dana: I'm lost, I'm sorry but I'm lost, maybe Liz can explain it.

Liz Galli-Noble: No, sorry. I am a bit lost myself.

John Bailey: Let me give my concern as Chair and I'm running the meeting, we have an ultimate discussion bringing topics together and we are going to do a and b, that's all. I'm assuming you were talking a and b, but you were going to rewrite it. That discussion is going to give us additional comments and it may give us some purposed recommendations.

Andy Dana: The purpose of the discussion is to develop recommendations. That is the soul purpose.

John Bailey: Right, but then we have ideas for recommendations and we go home that night, now what is the process?

Andy Dana: We don't go home that night. Once we get those recommendations from that meeting, we go through this list, and we adopt it at that meeting, right?

John Bailey: Okay, I didn't understand that.

Andy Dana: That is the whole purpose of those last meetings, we are coming to make recommendations on certain items on the list, say 1 to 3.

John Bailey: One more question, is it conceivable in one meeting to bring all the studies together and get a discussion that leads to a recommendation?

Andy Dana: Well hopefully at that time we will have heard all the presentations, and hopefully people will be able to bring in what they have heard from other discussions on specific topics that we are making recommendations on.

John Bailey: My thought was that we probably had several of these broad discussions and then come back and then start putting recommendations out there.

Liz Galli-Noble: Keep in mind that one of the things that will be in front of everyone will be the comments issues and recommendations that have already been made. So you will have four months of what you have already gone through summarized in front of you (probably some pretty lengthy discussions), so its not like you are starting from scratch. You will already have a base and then maybe some new things will come out because you are synthesizing studies, but they should be based on the data, which has already been presented.

John Bailey: Andy I understand what you are trying to do now and I have no problem with that. I just have a different concept on how it was going to go.

Andy Dana: I do think there is an issue to be addressed: let's say in meeting one we adopt a recommendation, but by the time we get to the last three items on the list, we may want to revisit it. That's why I kind of go back and forth about it, I wonder if we want consensus on the whole package. Sure the recommendations that we adopt in those three meetings are integrated and open to the discussion of the public (to see if they have any concerns with them), but it does really potentially open a whole can of worms. We won't really know how to funnel adoption until that last meeting, that's why I wonder if we should do a #7, which suggests that.

John Bailey: I think this will be fluid until the end. The whole has to work along with the pieces. I mean one piece could come along and someone may not like it. We discussed that in the research presentation process, that if we actually made recommendations, they weren't solid until it got to the end.

Andy Dana: So we ask for consensus on the whole?

John Bailey: It would have to be pretty specific of why they couldn't do that.

Andy Dana: I will withdraw my withdrawal. Liz and I can work on a draft of this process, and then run it by the Task Force.

Jerry O'Hair: I have a question that I'm not clear on. Will we make a recommendation and act on it all in the same night, is that correct?

John Bailey: Yes, but we can review it in the future.

Jerry O'Hair: I'm really not up for making a drastic recommendation and then acting on it all in the same night. I would have to give it some thought and go back to the people that I supposedly represent and ask for their feedback. I mean, you are making a decision there that could affect a lot of people and you are making it on the spur of the moment without any actual thought. I can't do it that way.

John Bailey: Jerry, we can't get closure if there is not consensus. If you want to go talk to people, say so, we will not have closure and will not reach consensus at that meeting. My sense is that we will revisit a lot of these issues several times. I mean, I would assume that after we went through that, we might have several meetings just talking about all the recommendations.

Andy Dana: This is trying to establish a process for taking formal action. Formal action in my mind means this is the Task Force recommendations, so I appreciate Jerry's concern. I have never really been comfortable with Ellen's issue that you have to propose a creative alternative because I may say, "No I'm not going to approve this and I don't have an alternative." I can give you a justification why I'm not going to, but I don't have an alternative.

Ellen Woodbury: That has been in our ground rules since day one. That you just don't say no.

Andy Dana: Well I will say no with a justification, but that doesn't mean that I can offer a creative alternative. I might not be smart enough to come up with one.

Ellen Woodbury: If you are going to use a consensus process, that is part of the process, that's how the process works.

Andy Dana: I will try to do it, but maybe some things I just can't swallow and I'm sure that Jerry feels the same way. You can't force me to come up with a creative alternative.

Ellen Woodbury: Well it doesn't have to be creative, how's that?

Liz Galli-Noble: According to the Task Force Ground Rules: it has to be a "constructive alternative".

Andy Dana: I will do my best but, no promises. So I'm sympathetic with your concerns Jerry, but I do think we need to have prior rules outlined on how we are going to make these decisions. We are up against the wall as far as time goes and what I like about this process is that it forces us to take an action.

Jerry O'Hair: Well maybe I wasn't thinking on the right terms, I just had that concern that if I'm up against the wall to make a decision I want to be damn sure I know where I'm at. Most of the kind of decisions that I have made in my life like that haven't turned out so good.

John Bailey: Remember that you have to agree to the whole, which allows us in essence to change any one of them.

Jerry O'Hair: If it allows us to change, you know I wouldn't want to throw the whole process out just because I disagree with one or two.

John Bailey: That process allows us in the end to work out those problems.

VI Outreach and Education Activities

Liz Galli-Noble gave this update:

The American Water Resources Association, Montana Water Conference was held in Livingston on October 3 and 4, 2002. The conference was entitled: *The Future of the Yellowstone River*, and several of the Task Force TAC and research team members gave presentations and tours during the event.

VII Schedule Next Task Force Meetings

November 5, 2002, Tuesday—Presentation #2. *Socio-Economic Assessment*
Location: Depot Center, 200 W. Park Street

November 19, 2002, Tuesday—Presentation #3. *Hydrology/Hydraulics Study*
Location: City/County Courthouse, Community Room (basement)

December 12, 2002, Thursday—Presentation #4. *Geomorphology Study*
Location: Yellowstone Inn

VIII The meeting was adjourned at 9:00 pm.

Attachment A. Task Force Meeting Expenses

October 7, 2002

Meeting Minutes

September 27, 2001

Secretary	7 hours x \$12 = \$84
Postage	200 x 57¢ = \$114
Printing (Kinkos)	\$71.80
Liz's edits	<u>3 hours x \$19 = \$57</u>
	\$326.80

February 26, 2002

Secretary	6 hours x \$12 = \$72
Postage	200 x 37¢ = \$74
Printing (Kinkos)	\$60
Liz's edits	<u>3 hours x \$19 = \$57</u>
	\$263

June 5, 2002

Secretary	17.5 hours x \$12 = \$210
Postage	200 x 60¢ = \$120
Printing (Kinkos)	\$127
Liz's edits	<u>8 hours x \$19 = \$152</u>
	\$609

July 23, 2002

Secretary	8 hours x \$12 = \$96
Postage	200 x 83¢ = \$166
Printing (Kinkos)	\$138
Liz's edits	<u>6 hours x \$19 = \$114</u>
	\$514

August 20, 2002

Secretary	8 hours x \$12 = \$96
Postage	200 x 83¢ = \$166
Printing (Kinkos)	\$94.50
Liz's edits	<u>9 hours x \$19 = \$171</u>
	\$527.50

Videotaping

Image Factory
\$45 per hour (2 hour minimum)
\$15 videotape copy
Free travel

September 19, 2002 meeting	\$102.50
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Attachment B. Possible Process for Recommendation Development

DRAFT

October 7, 2002

When recommendations are formally made the following process could be used:

Process Steps:

1. All recommendations must be clearly stated and recorded/listed.
2. The group identifies patterns and related recommendations.
3. The Task Force Chair restates each recommendation made and asks the Task Force for final concerns and questions relating to each recommendation.
4. The Task Force Chair calls for consensus on each recommendation made.
5. The Task Force formally adopts recommendations that achieve consensus.
6. If any recommendations fail to achieve consensus, return to those recommendations and continue discussion, and again call for consensus (as outlined above).

Note: If time permits, a small group of Task Force members (in particular those attributed to the specific unresolved recommendation issues) can be asked to meet to reevaluate the recommendation and then return to the full Task Force to report and have further discussion.

Possible Outcomes for Proposed Recommendations

1. Adoption of Recommendation—the full Task Force formally adopts the recommendation and details will be outlined in a final report to the Governor.
2. Stand Aside—the Task Force member is willing to stand aside; the member acknowledges that their concern with the recommendation still exists, but they are willing to allow the recommendation to be adopted. The recommendation and details will be outlined in a final report to the Governor.
3. Declare Block—the Task Force Chair declares that consensus cannot be reached on that recommendation and the group will simply move on.

Attachment C. Task Force Presentation Process

The Task Force adopted the following research presentation process on August 20, 2002. This process will be used at all research study presentations from September 2002 to April 2003.

Process Steps

Preparation for Study Presentation

A written summary report will be submitted to Task Force members and posted on Task Force website one week in advance of each research formal presentation.

Formal Study Presentation to Task Force

1. Introduction

Task Force Chair: Reminder of research presentation format and future plans.

2. TAC Chair Introduction of Research Team

TAC Chair: Introduction of research team members, study background, and address how this individual study fits within the comprehensive/integrated project design.

3. Presentation of Research Methods, Findings, Interpretations, and Conclusions

Questions will be held until the end of presentation.

4. Questions Session

- a. Task Force members speak first and when they have no further questions, members of the public will be asked for their questions.
- b. By polling the group, the Task Force Chair makes sure that everyone has had an opportunity to ask questions and that the group is ready to move on to the discussion session.

5. General Discussion Session

The Task Force Chair opens the floor to a broad, open discussion. Issues, comments, and concerns are raised and recorded.

- a. Task Force members speak first and when they have no further comments, members of the public will be asked for their input/comments.
- b. The Task Force will determine if there is a need for more information from the research team, or if there are additional questions/issues for the TAC.
- c. If Task Force members propose recommendations, they will be clearly documented and recorded. At the Task Force's discretion, proposed recommendations may be discussed immediately or deferred for later consideration. Any decision on proposed recommendations, including deferral of consideration, endorsement, modification, or rejection, shall be made in accordance with the consensus process adopted by the Task Force.
- d. Task Force members and members of the public may submit additional written comments and concerns via the Coordinator—outside of the Task Force meetings. Those comments will be shared with Task Force members and recorded.

NOTE: The Task Force-approved *TAC Protocol* will be strictly adhered to during this and future stages of this process.